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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 JOSEPH NASCIMENTO,

9 Plaintiff,

10 v.
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12 WELLS FARGO BANK, NA, et
13 al.,

14 Defendants.
15

2:11-CV-1049 JCM (GWF)

16 **ORDER**

17 Presently before the court is defendant Wells Fargo Bank, N.A.'s ("Wells Fargo") motion
18 for reconsideration. (Doc. #46). Plaintiff Joseph F. Nascimento filed an opposition. (Doc. #50).
19 Defendant then filed a reply. (Doc. #51).

20 The instant motion asserts that this court should reconsider its order denying Wells Fargo's
21 motion for summary judgment. (Doc. #46). The court previously denied Wells Fargo's motion for
22 summary judgment, finding that Wells Fargo had not authenticated the evidence supporting its
23 motion. (Doc. #45). Wells Fargo now asserts that "the evidence upon which the motion relies was
24 properly authenticated, or authentication is easily cured" (Doc. #45).

25 The court possesses "inherent power" to reconsider an order over which it maintains
26 jurisdiction. *See City of Los Angeles, Harbor Div. v. Santa Monica Baykeeper*, 254 F.3d 882, 887
27 (9th Cir. 2001); *see also Marconnie Wireless Tel. Co. v. United States*, 320 U.S. 1, 47 (1943).
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1 Here, it is clear that Wells Fargo did not fully comply with the authentication requirements
2 of *Orr v. Bank of America*, 285 F.3d 764, 773 (9th Cir. 2002), when it filed its motion for summary
3 judgment. (See Doc. #46, acknowledging that the motion for summary judgment did not attach a
4 reporter's certification to a deposition). Nevertheless, in the interest of judicial efficiency and
5 justice, the court is inclined to reconsider its previous order denying summary judgment.

6 Accordingly,

7 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant Wells Fargo
8 Bank, N.A.'s motion for reconsideration (doc. #46) be, and the same hereby is, GRANTED.

9 IT IS FURTHER ORDERED that defendant re-file its motion for summary judgment with
10 properly authenticated supporting evidence on or before July 18, 2012. Plaintiff shall refile his
11 opposition on or before July 25, 2012. Defendant may file a reply on or before August 1, 2012.

12 DATED July 13, 2012.

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15 **UNITED STATES DISTRICT JUDGE**